

DEBRA FREEMAN,  
Plaintiff,  
v.  
VERIZON INFORMATION SERVICES,  
Defendant.

Plaintiff Debra Freeman (“Plaintiff”) on August 27, 2007, filed her Motion to Compel “answers to certain document requests.” See Docket Entry 19. The Court had twice extended discovery in this case at her request and, most recently, stated that no further discovery extensions would be granted. See Docket Entries 14 and 16. Plaintiff’s Motion to Compel was filed twenty (20) days after the second extended discovery period closed on August 7, 2007.

Document Request No. 6 is the only document production request that seeks documents related to Messrs. Carolla, Giampietro and Shoop. It requests personnel records including

[REDACTED]

qualification records/resumes; performance evaluations; disciplinary/performance records; lists of assignments; cellphone records; and, any investigations/inquiries into violations of company policy.

Because this is a disparate discipline case, the Court finds that Plaintiff is entitled to disciplinary records related to violations of company policy by the three managers identified in Document Request 6 who held the same job title as her. Thus, with respect to Messrs. Carolla, Giampietro and Shoop, Defendant is directed to produce within 14 days pursuant to the parties' Confidentiality Agreement disciplinary records related to violations of company policy by any of those three individuals.

Plaintiff's motion is denied in all other respects. Plaintiff does not contend that individual qualifications, performance or assignments played any role in Defendant's decision to terminate her employment. In fact, the two letters written by her lawyer pursuant to Local Rule 37.1 do not indicate that she is seeking production of such documents. Thus, the motion is denied with respect to such documents. Further, Plaintiff never requested in her document production requests any documents from the computers of Messrs. Carolla and Shoop regarding acquisition, sale or management of real estate properties, so Defendant is not obligated to produce such documents that never were requested in the first place. Lastly, Plaintiff never requested expense reports and, to the extent that she seeks production of them, she is not entitled to receive them.

By the Court on September 18<sup>th</sup>, 2007:

  
Gary L. Lancaster, U.S. District Judge

cc: Counsel of Record